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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/252,326	02/18/1999	MARK G. PRESTOY	98-906	4365

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EXAMINER

SHANG, ANNAN Q

ART UNIT

PAPER NUMBER

2614

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/252,326	PRESTOY, MARK G. <i>(Signature)</i>
	Examiner Annan Q Shang	Art Unit 2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 16 December 2002.
- 2a) This action is **FINAL**.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-26 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over De Vos et al (6,272,281) and further in view of Egawa et al (5,717,854) newly cited.

As to claim 1, note De Vos et al reference figure 1, disclose an interactive multimedia system, comprising: parallel video servers, Storage Medium Units (SMUs) 20-20n with storage devices 21-21n and Controller 26-26n for streaming a plurality of video streams, note col. 1, lines 24-29, a plurality of client, End Devices 40, for receiving the plurality of video streams. De Vos further teaches a high capacity transport system, Asynchronous Transfer Mode (ATM), for transporting the video streams from the parallel video servers SMUs 20, to the plurality of client device, End Devices 40, note col. 2, lines 36-56, but fails to specifically teach a parallel video server that includes a plurality of processors all having concurrent access to same set of storage devices for streaming a plurality of video streams. However, Egawa et al figure 1, teach in a video server with storage devices 1, and with a massively parallel processing modules 3 that forms a plurality of nodes, each including a processor CPU 4, that have concurrent access to same set of storage devices 1 and a controller, personal computer 6, for streaming a plurality of video streams and data to a Multiplexing Device/Switching Unit

7, which streams the plurality video streams to a network, note col. 1, lines 29-53, note that Processing Device 2 which includes various Processing Modules 3, and respective CPUs that are capable of accessing the same Storage Device concurrently and transfers each video data retrieve from the storage device to the personal computer, which in turn transfers the plurality of video streams to the Multiplexing Device/Switching Unit 7, note also that although the person computer is connected in serials it does stream a plurality of video streams to the Multiplexing Device/Switching Unit 7.

Therefore the examiner submits that it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to modify De Vos et al teaching with such massively parallel processors as taught by Egawa et al in order to enable one controller to assess multiple storage devices simultaneously.

As to Claim 2, De Vos further discloses an interactive multimedia system comprising a set of display devices Monitor 43, connected to the plurality of client devices End Device 40, respectively for displaying the video streams, note col. 3, lines 1-16).

As to claim 3, De Vos inherently teaches an encoder for encoding video and for storing the encoded video in the parallel video server SMU 20.

Claim 4 is met as previously discussed with respect to claim 1.

As to claim 5, De Vos further discloses an interactive multimedia system comprising a web server for storing data and sending the data via the high capacity transport system to the plurality of client devices, note col. 2, lines 57-67.

As to Claim 6, De Vos further discloses an interactive multimedia system where the parallel video server includes a plurality of nodes and each of the plurality of nodes comprises: a video server program for streaming one or more of the video streams from one or more video titles stored in a plurality the set of storage devices, note col. 4, lines 1-13, an interface module for formatting the video streams into cells and transmitting the cells on the high capacity transport system, note col. 1, lines 44-59 and col. 2, lines 36-56, the claimed "disk controller..." is met as previously discussed with respect to claim 1, the claimed and "at least one of ..." is met as previously discussed with respect to claim 1.

As to claim 7, De Vos further discloses an interactive multimedia system where the high capacity transport system comprises one or more asynchronous transfer mode (ATM) switching systems note col. 1, lines 44-59.

As to claim 8, De Vos further discloses an interactive multimedia system where the high capacity transport system comprises pre-established connections associated with the plurality of client devices respectively, note col. 3, lines 1-16.

As to claim 9, De Vos further discloses an interactive multimedia system where the high capacity transport system comprises pre-established bi-directional connections associated with the plurality of client devices, respectively note col. 3, lines 30-39.

As to claim 10, De Vos further discloses an interactive multimedia system where each of the plurality of client devices comprises: a browser program for retrieving the data from the web server; a video client program for receiving one of the video streams and for controlling the video stream, note col. 3, lines 17-25, the claimed "processor

other than the plurality of processors in the parallel video server..." is met by Personal Computer 6, as previously discussed with respect to claim 1.

As to claim 11, De Vos further discloses an interactive multimedia system where one or more of the plurality of client devices includes a set top box, note col. 3, lines 1-16.

As to claim 12, De Vos further discloses an interactive multimedia system wherein one or more of the plurality of client devices includes a personal computer, note fig. 1, End Device 40.

As to claim 13, De Vos inherently teaches an interactive multimedia system where the encoder comprises a real-time encoder for encoding real-time video.

As to claim 14, De Vos inherently teaches an interactive multimedia system where the encoder comprises an off-line encoder for encoding off-line video.

As to claim 15, De Vos further discloses an interactive multimedia system where the web server interfaces an Internet Protocol (IP) network, note col. 3, lines 61-67.

As to claim 16, De Vos further discloses an interactive multimedia system where the data is in Hypertext Markup Language (HTML) format, note col. 4, lines 1-13.

As to claim 17, note De Vos et al reference figure 1, disclose a method for delivering interactive multimedia to a plurality of subscriber site, the method comprising the steps of, parallel video servers, Storage Medium Units (SMUs) 20-20n with storage devices 21-21n and Controller 26-26n for streaming a plurality of video streams, note col. 1, lines 24-29, a plurality of client, End Devices 40, for receiving the plurality of video streams. De Vos further teaches a high capacity transport system, Asynchronous

Transfer Mode (ATM), for transporting the video streams from the parallel video servers SMUs 20, to the plurality of client device, End Devices 40, note col. 2, lines 36-56, but fails to specifically teach a parallel video server that includes a plurality of processors all having concurrent access to same set of storage devices for streaming a plurality of video streams. However, Egawa et al figure 1, teach in a video server with storage devices 1, and with a massively parallel processing modules 3 that forms a plurality of nodes, each including a processor CPU 4, that have concurrent access to same set of storage devices 1 and a controller, personal computer 6, for streaming a plurality of video streams and data to a Multiplexing Device/Switching Unit 7, which streams the plurality video streams to a network, note col. 1, lines 29-53, note that Processing Device 2 which includes various Processing Modules 3, and respective CPUs that are capable of accessing the same Storage Device concurrently and transfers each video data retrieve from the storage device to the personal computer, which in turn transfers the plurality of video streams to the Multiplexing Device/Switching Unit 7, note also that although the person computer is connected in serials it does stream a plurality of video streams to the Multiplexing Device/Switching Unit 7.

Therefore the examiner submits that it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to modify De Vos et al teaching with such massively parallel processors as taught by Egawa et al in order to enable one controller to assess multiple of storage devices simultaneously.

As to claim 18, De Vos further discloses a method comprising the step of displaying the video streams on a plurality of display monitors connected to the plurality of clients, respectively, note col. 3, lines 1-25.

Claim 19, is met as previously discussed with respect to claim 3.

Claim 20, is met as previously discussed with respect to claim 4.

Claim 21, is met as previously discussed with respect to claim 8.

Claim 22, is met as previously discussed with respect to claim 9.

Claim 23, is met as previously discussed with respect to claim 7.

Claim 24, is met as previously discussed with respect to claim 3.

Claim 25, is met as previously discussed with respect to claim 3.

Claim 26, is met as previously discussed with respect to claim 2.

#### ***Response to Arguments***

3. Applicant's arguments filed 12/16/02 have been fully considered but they are not persuasive.

With respect that the independent claims 1 and 17, applicant admits that "although the processing device accesses the video data in parallel from the storage device, the video data is provided to a personal computer in a serial fashion and since the personal computer does not include a plurality of processors..... processes the video data in a serial fashion and does not stream the video data into a plurality of video streams." Examiner disagrees in that despite the serial connection between the personal computer 6 and the Processing Device 2, that includes the various Processing Modules 3 and the respective CPUs, a plurality of video streams are transferred from

Processing Device 2 to the Multiplexing Device/Switching Unit 7 via personal computer 6, note that Processing Modules 3 are capable of accessing the same Storage Device concurrently and transfers each retrieved video data from the storage device to the personal computer, which in turn transfers the plurality of video streams to the Multiplexing Device/Switching Unit 7. The combination of De Vos and Egawa, clearly teach the independent claims 1 and 17 and all the respective dependent claims 2-16 and 18-26, clearly discussed above. Applicant's arguments appear to be without merit and the rejections are made final.

***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

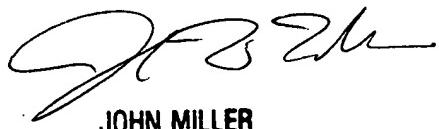
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Annan Q Shang whose telephone number is 703-305-2156. The examiner can normally be reached on 700am-500pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Miller can be reached on 703-305-4795. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-5991 for regular communications and 703-746-5991 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.



Annan Q. Shang  
February 21, 2003



JOHN MILLER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600